



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Docket No.: 2039304-5001US

Kevin W. WEEKS

Serial No.: 10/030,408

Group Art Unit: 3754

Filed: January 3, 2002

Confirmation No: 8967

Examiner: BRINSON, Patrick F.

For: **METHOD OF FORMING A TUBE**

Mail Stop: Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Sir,

In response to the Reasons for Allowance (RFA) in the Notice of Allowability mailed by the Patent and Trademark Office on December 17, 2004, while Applicant agrees the claims are patentable over the prior art of record, Applicant does not agree that patentability resides in each feature exactly as expressed in the claims, nor that each feature is required for patentability of each claim. Moreover, pursuant to Eolas Technologies Inc. v. Microsoft, 04-1234 (Fed. Cir. March 2, 2005) (Fed. Cir. BBS) "the applicant has no obligation to respond to an examiner's statement of Reasons for Allowance, and the statement of an examiner will not necessarily limit a claim." Eolas, at *20. (internal citation omitted).

Respectfully submitted,

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